

Application No.: 10/791,906

**REMARKS**

**I. Introduction**

In response to the pending Office Action, Applicant has amended claims 1, 11 and 18 to overcome the § 112 rejections and to further clarify the subject matter. Support for the amendments to claims 1, 11 and 18 may be found, for example, in Fig. 10 and on page 9, lines 10-16 of the specification. In addition, new claims 31-36 have been added. Support for new claims 31-36 may be found, for example, in claims 1-4, 11 and 18-21. Claim 30 was cancelled, without prejudice. No new matter has been added.

Applicant notes with appreciation the indication of allowable subject matter recited in claim 28.

For the reasons set forth below, Applicant respectfully submits that all pending claims are patentable over the cited prior art.

**II. The Rejection Of Claims 1-27 and 30 Under 35 U.S.C. § 112**

Claims 1-27 and 30 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully traverse the rejection for at least the following reasons.

It was alleged that the limitation of claims 1, 11 and 18 "said modified image indicating said original image is distorted in said subscan direction without being distorted in said main scan direction" is misleading in which it indicates that the original image is not distorted/modified in the main scan direction. The Examiner understands from the specification that this limitation would be interpreted that the generation of data for the modification of the width of the image would affect the image only in one scan direction, the subscan direction.

**Application No.: 10/791,906**

The Examiner's indication is correct in that, as shown in Fig. 10, the modified image 80 indicates the original image distorted in the subscan direction 81 without being distorted in the mainscan direction. Thus, the modified image indicates distortion in only one direction. As such, Applicants submit that the amendment to claims 1, 11 and 18 indicates that the generation of data for the modification of the width of the image would affect the image only in the subscan direction, and not the main scan direction.

In view of the above, Applicants respectfully request that the § 112 rejection of claims 1-27 be withdrawn.

**III. The Rejection Of Claims 1-2, 11-14 And 18-19 Under 35 U.S.C. § 103**

Claims 1-2, 11-14 and 18-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mitsuka et al. (USP No. 4,687,944) in view of Wada (USP No. 5,528,378). Applicant respectfully traverses this rejection for at least the following reasons.

Amended claims 1, 11 and 18 disclose, in-part, an image recording or printing apparatus or an image recording method of recording an image onto a printing plate having an operation part for generating data of a modified image obtained by substantially modifying the width of the original image in the subscan direction in consideration of extension of a paper caused by dampening water in printing with said printing plate, wherein in modifying the width of the original image in the subscan direction, the modified image indicating the original image is distorted in the subscan direction without being distorted in the main scan direction; and a control part for controlling emission of the light beam according to the data of the modified image while shifting writing timing in the main scan direction by changing a cycle of a writing clock.

**Application No.: 10/791,906**

Thus, the present disclosure also teaches a technique for generating data of a modified image that is distorted in the subscan direction in consideration of extension of a paper caused by dampening water in printing with said printing plate without being distorted in the main scan direction. In printing with a printing plate, complicated control is required to perform modification of image by writing control in the main scan direction and subscan direction, since the fan-out of paper (the extension of paper caused by dampening of the water in printing) is not linear in the printing direction. However, in one embodiment of the present disclosure, the modification in the subscan direction is performed by computation in consideration of the extension of a paper caused by dampening water in printing and the modification in the main scan direction is performed by controlling a writing clock. As a result, correcting the influence of complicated distortion of paper becomes easier and faster.

Neither Mitsuka nor Wada teach the above cited limitation. Mitsuka discloses a picture image reproducing system containing a picture recording apparatus. The picture recording apparatus comprises a drum 25 for holding a photosensitive material 26, a recording head 24, a motor 31 for rotating the drum 25 to scan an irradiation position on the photosensitive material 26, a motor 28 for moving the recording head 24 in the subscan direction, CCD 1 for obtaining image signals, a magnification converter 20 for increasing and/or decreasing the number of picture elements both in the main scan direction and the subscan direction, and an exposing light control means 23 for controlling the recording head 24 (see, Mitsuka, col. 5, line 27-col. 6, line 6). Wada discloses an electrophotographic printer which can print an enlarged image. Wada also discloses a technique to print an enlarged image where in regard to a main scanning direction, the transfer frequency for the picture element signal is lowered to 2/3 times, and with

**Application No.: 10/791,906**

regard to a subscanning direction, same data as those of the last line are outputted at the rate of one line to two lines (see, col. 1, lines 25-35 of Wada).

However, neither reference teaches modifying an image in the subscan direction by computation of an operation part, which generates data of a modified image obtained by substantially modifying the width of the original image in the subscan direction in consideration of extension of a paper caused by dampening water in printing with the printing plate, the modified image indicating the original image distorted in the subscan direction without being distorted in the main scan direction. As such, neither Mitsuka nor Wada teach or disclose claims 1, 11 or 18 of the present invention.

In order to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 USPQ 580 (CCPA1974). At a minimum, as Mitsuka and Wada fail to teach or suggest the above cited limitations, it is submitted that Mitsuka and Wada, alone or in combination, do not render claims 1, 11 and 18 obvious. Accordingly, it is respectfully requested that the § 103 rejection of claims 1, 11, 18 and any pending claims dependent thereon be withdrawn.

**IV. All Dependent Claims Are Allowable Because The Independent Claim From Which They Depend Is Allowable**

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 1, 11 and 18 are patentable for the reasons set forth above, it is respectfully submitted that all pending dependent claims are also in condition for allowance.

AUG 08 2007

Application No.: 10/791,906

Moreover, as new claims 31-36 contain the above mentioned limitations of claims 1, 11 and 18, Applicants respectfully submit that they are allowable over the cited prior art for at least the reasons set forth above.

**V. Conclusion**

Having fully responded to all matters raised in the Office Action, Applicant submits that all claims are in condition for allowance, an indication of which is respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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